

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REVISED
AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, JULY 12, 2005
9:00 A.M.

AND

SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, JULY 11, 2005
4:00 P.M.

ROLL CALL

Invocation – Police Chaplain Ellen Fenter
Pledge of Allegiance

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA**1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of July 5, 2005 and Minutes for the Special City Council Meetings of July 1, 5, 6, 7, 2005

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**3. RESOLUTIONS:**

- 3A.** That the City Manager be authorized to sign a First Amendment to Concession Agreement between the City of El Paso ("City") and CheckPoint Mailers, Inc. ("Concessionaire") to specify that revenue reports and Percentage Fees are due on the 15th of the month following that in which the revenues were earned.

(District 3) [Airport, Patrick T. Abeln, (915) 780-4724]

- 3B.** That the City Manager to be authorized to sign a Trademark License Agreement by and between the City of El Paso, acting through the Department of Aviation ("Licensee"), and Texas-New Mexico Newspapers Partnership, d/b/a El Paso Times ("Licensor") for the right to use the mark IT'S AN EL PASO THING ("Licensed Mark") in connection with promoting business and tourism in the El Paso metropolitan area. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

- 3C.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and DAVID WOLKING, to assist the El Paso Water Utilities as an Applications Support Administrator, at an hourly rate of \$26.92 for 40 hours per week. The term of the contract shall be for the period of July 20, 2005 through July 19, 2006. Fund Source: 702-730

[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]

- 3D.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and EDGARDO CHACON, to assist the El Paso Water Utilities as a Network Administrator, at an hourly rate of \$29.18 for 40 hours per week. The term of the contract shall be for the period of July 20, 2005 through July 19, 2006. Fund Source: 702-730

[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]

- 3E.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and JOSE A. GRANILLO, JR. to assist the El Paso Water Utilities as a GIS Administrator, at an hourly rate of \$28.06 for 40 hours per week. The term of the contract shall be for the period of July 20, 2005 through July 19, 2006.

Fund Source: 702-730

[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]

- 3F.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and ARMANDO R. RENTERIA, to assist the El Paso Water Utilities as an Information Services Manager, at an hourly rate of \$41.12, for 40 hours per week. The term of the contract shall be for the period of July 20, 2005 through July 19, 2006. Fund Source: 702-730

[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]

- 3G.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and ALFREDO SOLANO, to assist the El Paso Water Utilities as a Database Administrator, at an hourly rate of \$27.58, for 40 hours per week. The term of the contract shall be for the period of July 20, 2005 through July 19, 2006. Fund Source: 702-730
[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]
- 3H.** That Representative Ann Morgan Lilly and Representative Presi Ortega, Jr. are appointed to the Board of Directors of the El Paso Central Appraisal District Board to be seated immediately and fill unexpired terms commencing from January 1, 2004 through December 31, 2005.
[Mayor's Office, Matthew Briones, (915) 541-4145]
- 4. REINSTATEMENT(S):** Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:
- 4A.** Prise, Natalie M. – Community Development Grants Administrator
[Quality of Life Services, Deborah Hamlyn, (915) 541-4686]
- 4B.** Cardenas, Hector – Stores Clerk I
[Zoo, Lea Hutchinson, (915) 521-1850]
- 5.** Appointment of Mark Briggs as a part-time prosecutor effective July 12, 2005, and that the professional legal services engagement letter and contract between the City of El Paso and Mark Briggs dated January 25, 2005 is terminated effective immediately.
[City Attorney's Office, Elaine Hengen, (915) 541-4550]
- 6.** Appointment of Marina Chavez as a part-time prosecutor effective July 12, 2005, and that the professional legal services engagement letter and contract between the City of El Paso and Marina Chavez dated December 13, 2004 is terminated effective immediately. [City Attorney's Office, Elaine Hengen, (915) 541-4550]
- 7.** Appointment of Chris Gad as a part-time prosecutor effective July 12, 2005, and that the professional legal services engagement letter and contract between the City of El Paso and Chris Gad dated December 13, 2004 is terminated effective immediately.
[City Attorney's Office, Elaine Hengen, (915) 541-4550]
- 8. BOARD APPOINTMENTS:**
- 8A.** Larry C. Trejo to the Building and Standards Commission as an alternate member by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]
- 8B.** Paul G. Zacour to the Building and Standards Commission by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]
- 8C.** Gregory D. Davis to the Building and Standards Commission by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]

9. CHANGE ORDER: [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

Contract No.: 2003-101 Fertilizer
 Helena Chemical Company
 Mesquite, New Mexico

The Parks & Recreation Department & Purchasing Department request approval of change order to Helena Chemical Company, for Fertilizer for an increase amount of \$9,821.55 - PO # 2005000429.

(Item #1 increase of \$8,125.80 & Item # 2 increase of \$1,695.75 for a total of \$9,821.55)

Department: Parks & Recreation Department
Funds Available: 51010262-503113-01101
Funding Source: Parks & Recreation General Operating Funds

Total Change Order: \$9,821.55

District(s): All

10. BEST VALUE PROCUREMENT: [Purchasing Department, Ray Heredia, (915) 541-4316]

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.: 2005-202R Stress Management for Firefighters
Award to: Center for Employee Assistance Program
 El Paso, TX
Amount: \$65,830.00 (estimated yearly)

Department: Fire
Funds available: 22010090-01101-502111
Funding source: Operating Funds, Healthcare Provider Service
Total award: \$197,490.00 (estimated)
District (s): All

Fire Department and Purchasing Department recommends award as indicated. Center for Employee Assistance, provided the Best Value Procurement proposal meeting specifications.

This is a thirty-six (36) month contract with no option to renew.

11. REQUEST FOR PROPOSAL: [Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Solicitation No.: 2005-219R Golf Course Management Firm

Award to: Kemper Sports Management, Inc.
Northbrook, IL

Amount: \$12,500.00 (Fixed Monthly Fee) plus Incentive Fee:
5% of gross annual revenues exceeding \$3,000,000.00

Department: Aviation

Funds available: Revenue Contract

Funding source: Revenue Contract

Total award: \$450,000.00 Estimated (Fixed Fee) plus Incentive Fee:
5% of gross annual revenues exceeding \$3,000,000.00

District (s): 3

The Review Committee recommends award as indicated. Kemper Sports Management, Inc. submitted the highest ranked and best proposal to meet the needs of the City.

This contract provides for a Golf Course Management Firm. This is a fee-based management, revenue-generating contract for the El Paso International Airport. When the Golf Course opens for use, the compensation for this contract shall be a Fixed Monthly Fee of \$12,500.00, in addition to an Incentive Fee of 5% of gross annual revenues exceeding \$3,000,000.00.

The term of the contract is three (3) years with the City's option to extend for one additional three (3) years period.

Furthermore, it is requested that staff be authorized to negotiate, the City Attorney's Office to review and that the City Manager execute any additional documents as necessary. Additionally, authorize the City Manager to execute budget transfers as necessary during the contract.

12. BID: [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No.: 2005-187 Glass Beads

Award to: Potters Industries, Inc.
Valley Forge, Pennsylvania

Item (s): #1

Amount: \$34,790.00 (estimated annually)

Department: Street

Funds available: 32010287-503122-01101

Funding source: Street Operating General Fund

Total award: \$69,580.00 (estimated)

District (s): All

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. No options offered. This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

13. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]**13A. BT2005-1242 BUILDING & PLANNING SERVICES AND PARKS & RECREATION**

Building & Planning Services and Parks & Recreation propose to appropriate \$25,000 from McKelligon Canyon Park User Fee Fund Balance to the 2000 QOL McKelligon Canyon project to fund an alternate for construction of a scene shop building and cabinetry for the concession area. Money is available in Fund Balance. **(District 2)**

Increase	\$25,000	to	51010280/P50020616306/407002	Est Rev
Increase	\$25,000	to	51010280/P50020616306/508027	Construction
Decrease	\$25,000	from	51010280/P50020616306/508027	Construction
Increase	\$25,000	to	51010280/PPW004604616306/508027	Construction

13B. BT2005-1243 BUILDING & PLANNING SERVICES AND PARKS & RECREATION

Building & Planning Services and Parks & Recreation propose to appropriate \$40,000 from Park User Fees General Administration Fund Balance to the 2000 QOL Memorial Pool project to fund construction of a canopy/slab at the Memorial Reserve Area. Money is available in fund balance. **(District 2)**

Increase	\$40,000	to	51010279/P50020116301/407002	Est Rev
Increase	\$40,000	to	51010279/PPW0046026YR216301/508027	Construction

13C. BT2005-1256 MUSEUM OF ART

To appropriate funds to pay for training/instruction contracts due to the increased number of the museum's programs offered to teachers and art classes.

Increase	\$5,546	to	54154001/G54000707402/502214	Train/InstCntr
Increase	\$5,546	to	54154001/G54000707402/404302	InstructionFee

13D. BT2005-1261 OFFICE OF MANAGEMENT & BUDGET

To appropriate funding for the purchase of document scanning equipment.

Increase	\$43,500	to	04010210/P540010CTY27503/407000	InterestRev
Increase	\$43,500	to	04012010/P540010CTY27503/508010	DataProcEq

13E. BT2005-1298 COMMUNITY AND HUMAN DEVELOPMENT

This will increase the appropriation for the Bill Collections Contract with AmeriNational Community Services, Inc. An unanticipated greater number of new loan accounts have been set up and this will pay servicing fees for the remainder of this FY.

Increase	\$20,000	to	71150039/G710RLFHOME09914/406040	PgrmIncome
Increase	\$20,000	to	71150039/G710RLFHOME09914/502201	BillCollectCntr

14. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 14A.** El Buen Pastor Church to use amplification (2 microphones, 2 speakers and 2 amplifiers) at Borderland Park – 6327 Modesta on July 15, 2005 from 6:00 p.m. to 9:00 p.m. for an evangelization campaign. Approximately 100 persons will take part and 50 spectators are anticipated.

PERMIT # 05-085 [Emilio Urena] **(District 1)**

NO OBJECTIONS FROM PARKS. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 14B.** El Paso Police Department – D.A.R.E. to hold a 10K run/5K walk on November 19, 2005 from 8:00 a.m. to 12:00 p.m. Route: Start at 4176 N Mesa to Brentwood, turn left on Brentwood to Stanton, turn right on Stanton to Kerbey, turn left on Kerbey to Rim Rd, turn left on Rim Rd to Scenic Dr, turn left on Scenic Dr to Robinson, turn left on Robinson to Stanton, turn right on Stanton to Brentwood, turn left on Brentwood to Mesa, turn right on Mesa and finish at 4176 N Mesa. Approximately 300 persons will take part and 150 spectators are anticipated. PERMIT # 05-086 [Officer Paul E Pacillas] **(District 1)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 23 OFFICERS AND 23 VEHICLES. ESTIMATED COST TO CITY: \$639.00 ESTIMATED COST TO APPLICANT: \$3961.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

15. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 15A.** An Ordinance amending Ordinance No. 012539, an Ordinance Granting a Franchise to El Paso Electric Company and Waiving Application Process, to extend the term of the Franchise through August 31, 2005.
[City Attorney's Office, Jorge Villegas, (915) 541-4550]
- 15B.** An Ordinance authorizing the Mayor to sign a lease agreement between the City of El Paso and Alta Vista Optimist Club of El Paso, Texas, for the continued development of park and recreational services at the Alta Vista Park, located at Copia Street and Morenci Road, El Paso, Texas, for a term of ten (10) years, with renewal options. **(District 2)** [Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 15C.** An ordinance granting a Special Privilege to Great Vibe, L.L.C. permitting the encroachment of a sidewalk café onto a portion of public right-of-way located at 209 South El Paso Street. (Annual Fee: \$300.00, SP-05014) **(District 8)**
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]

- 15D.** An Ordinance vacating a portion of a ten-foot drainage easement located within a portion of Lot 3, Block 10, River Park West Unit Two, El Paso, El Paso County, Texas and a portion of a ten-foot drainage easement located within a portion of Lot 4, Block 10, River Park West Unit Two, El Paso, El Paso County, Texas. Applicant: Zia Homes, Inc. EV05003 **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

PUBLIC HEARING WILL BE HELD ON JULY 26, 2005 FOR ITEMS 15A -- 15D

- 15E.** An Ordinance changing the zoning of the East 60 Feet of Lots 1, 2, and 3, Block 273, Campbell Addition, El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Barry O. and Barbara Coleman. ZON05-00040 **(District 8)** [Planning, Research and Development, Christina Valles, (915) 541-4930]
- 15F.** An Ordinance granting Special Permit No. ZON05-00039, to allow for a parking reduction on the property described as the East 60 feet of Lots 1, 2, and 3, Block 273, Campbell Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Barry O. and Barbara Coleman. ZON05-00039 **(District 8)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 15G.** An Ordinance granting Special Permit No. ZON05-00043, to allow for a Planned Residential Development on a portion of Tract 38, Country Club Place, Southside, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Applicant: Frank and Catherine Clausen. ZON05-00043 **(District 8)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 15H.** An Ordinance granting Special Permit No. ZON05-00044 to satisfy parking requirements for Parcel 1, described as Lots 11-20, Block 220, Campbell Addition, El Paso, El Paso County, Texas, by allowing off-street parking on Parcel 2, Described as all of Lots 1-4 and the West 10.5 Feet of Lot 5, Block 220, Campbell Addition, pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Horak Development III, LLC. ZON05-00044 **(District 8)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 15I.** An Ordinance granting Special Permit No. ZON05-00046, to allow for a Planned Residential Development on Tract 6-C-1, Block 4, Upper Valley Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mountain Vista Builders, Inc. ZON05-00044 **(District 8)** [Planning, Research and Development, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON AUGUST 2, 2005 FOR ITEMS 15E -- 15I

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

16. ENGINEERING: [Engineering Department, Rick Conner, (915) 541-4200]

Discussion and action on approval of Conditional "B" building permits for: Painted Dunes Unit Two, Block 1, Lot 2, Subdivision. **(District 4)**

17. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

17A. BT2005-1253 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$600,000 from the Resurfacing 2000 project to a Lane Markings project. Funding source is 2000 COs. **(All Districts)**

Decrease	\$ 99,252.37	from	31250102/PPW003100127175/508024	Testing
Decrease	\$ 60,000.00	from	31250102/PPW003100127175/508026	Inspections
Decrease	\$440,747.63	from	31250102/PPW003100127175/508027	Construction
Increase	\$600,000.00	to	31250102/PST0500327175/508027	Construction

17B. BT2005-1158 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$212,213.83 from the First Drainage/Flood Control Improvements project, \$467,034.25 from the First Retrofit of Basins 2000A project, and \$671,040.51 from the First Retrofit Improvement 2000 CO project to a new project called Retrofitting of Municipal Storm Sewer Facilities Phase I. Funding sources are (FY03 CO's – Construction) & (Flood Control 2000A Issue). **(All Districts)**

Decrease	\$ 35,518.36	from	31130007/PPW002900126226/508016	CntrctlDesign
Decrease	\$ 2,287.71	from	31130007/PPW002900126226/508022	Administration
Decrease	\$ 1,932.82	from	31130007/PPW002900126226/508024	Testing
Decrease	\$ 1,487.87	from	31130007/PPW002900126226/508026	Inspections
Decrease	\$170,987.07	from	31130007/PPW002900126226/508027	Construction
Decrease	\$ 40,518.66	from	31130007/PPW003600126227/508016	CntrctlDesign
Decrease	\$ 1,434.65	from	31130007/PPW003600126227/508022	Administration
Decrease	\$ 13,798.00	from	31130007/PPW003600126227/508024	Testing
Decrease	\$ 6,546.79	from	31130007/PPW003600126227/508026	Inspections
Decrease	\$402,714.03	from	31130007/PPW003600126227/508027	Construction
Decrease	\$ 2,022.12	from	31130007/PPW003600126227/508051	ProgramMgmt
Decrease	\$125,708.94	from	31260001/PPW003000160654/508016	CntrctlDesign
Decrease	\$543,650.30	from	31260001/PPW003000160654/508027	Construction
Decrease	\$ 1,681.27	from	31260001/PPW003000160654/508051	ProgramMgmt
Increase	\$ 81,288.59	to	31130007/PPW002900226226/508016	CntrctlDesign
Increase	\$ 25,000.00	to	31130007/PPW002900226226/508051	ProgramMgmt
Increase	\$105,925.24	to	31130007/PPW002900226226/508027	Construction
Increase	\$467,034.25	to	31130007/PPW002900226227/508027	Construction
Increase	\$627,040.51	to	31260001/PPW002900260654/508027	Construction
Increase	\$ 22,000.00	to	31260001/PPW002900260654/508024	Testing
Increase	\$ 22,000.00	to	31260001/PPW002900260654/508026	Inspections

17C. BT2005-1266 AIRPORT

Transfer of funds to set up appropriations for a project for the reconstruction of Runway 8R-26L.

Increase	\$	1,000	to	62620031/G620AIP002311512/502205	Legal Notice
Increase	\$	1,500	to	62620031/G620AIP002311512/502302	Print Shop
Increase	\$	600	to	62620031/G620AIP002311512/502304	Mailroom
Increase	\$	1,000,000	to	62620031/G620AIP002311512/508016	Design
Increase	\$	5,000	to	62620031/G620AIP002311512/508021	CEngAdmChg
Increase	\$	500,000	to	62620031/G620AIP002311512/508024	Testing
Increase	\$	40,000	to	62620031/G620AIP002311512/508026	Inspections
Increase	\$	12,125,000	to	62620031/G620AIP002311512/508027	Construction
Increase	\$	40,000	to	62620031/G620AIP002311512/508051	Prgm Mgmt
Increase	\$	5,176,914	to	62620031/G620AIP002311512/407001	Intrfd Trf
Increase	\$	8,536,186	to	62620031/G620AIP002311512/406000	FedGrntProc
Increase	\$	5,176,914	to	62620018/P50000241021/407002	FundBalTrf
Increase	\$	5,176,914	to	62620018/P50000241021/507001	Intrfd Trf

17D. BT2005-1292 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$914,428 within the Upper Valley Road project to realign the budget. There is no increase for the project budget. **(District 1)**

Increase	\$	643,500	to	14200403/PBE04ST13929155/508000	Land
Decrease	\$	529,346	from	14200403/PBE04ST13929155/508016	CntrlDesign
Increase	\$	60,676	to	14200403/PBE04ST13929155/508024	Testing
Increase	\$	202,252	to	14200403/PBE04ST13929155/508026	Inspections
Decrease	\$	385,082	from	14200403/PBE04ST13929155/508027	Construction
Increase	\$	500	to	14200403/PBE04ST13929155/508022	Administration
Increase	\$	7,500	from	14200403/PBE04ST13929155/508051	ProgrmMngmt

18. CITY ATTORNEY: [City Attorney's Office, Jorge Villegas, (915) 541-4550]

Discussion and action on a Resolution that the City Manager be authorized to sign a Rate Agreement by and between the City of El Paso and the El Paso Electric Company to freeze the electric rates for electric utility service for a period of five (5) years.

POSTPONED FROM 07/05/05

19. PUBLIC HEARING – CITY ATTORNEY: [City Attorney's Office, Jorge Villegas, (915) 541-4550]

An Ordinance granting a franchise to El Paso Electric Company and waiving application procedures. POSTPONED FROM 07/05/05

20. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

20A. An Ordinance changing the zoning of a portion of Lot 4, Block 160, Vista Del Sol Unit 54, El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-3 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Texas M, LLC. ZON05-00007 **(District 7)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

POSTPONED FROM 07/05/05, 06/14/05, 05/17/05 AND 05/03/05

- 20B.** An Ordinance granting Special Permit No. ZON 05-00031, to allow for a Planned Residential Development on Lots 405, 406, 423 And 424, Sunrise Acres Unit One, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of The El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Applicant: Karma-JKS Properties, Inc. ZON05-00031 **(District 2)** [Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20C.** An Ordinance granting Special Permit No. ZON05-00035, to allow for a fire station on Lots 24 - 28, Block 1, Vista Commercial Park, El Paso, El Paso County, Texas, pursuant to Section 20.42.040 (Zoning) of The El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of The El Paso Municipal Code. Applicant: City of El Paso. ZON05-00035 **(District 6)** [Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20D.** An ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended (within specific 4 parcels recently sold in Public Service Board Northeast Master Plan) **(District 4)** [Planning, Research and Development, Tae-Gyu Kim, (915) 541-4033]
- 20E.** An ordinance incorporating applicable portions of the El Paso Water Utilities' Public Service Board Northeast Master Plan as a specific study area plan into the City's comprehensive plan, *The Plan for El Paso*, and which plan shall amend the Plan for El Paso and the year 2025 General Land Use Map incorporated therein. **(District 4)** [Planning, Research and Development, Mark Weber, (915) 591-4932]
- 20F.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to EPT Land Assets, L.P., land totaling approximately 4.69 acres out of Section 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in northeast El Paso at McCombs and Patriot Freeway. **(District 4)** [El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]
- 20G.** An ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Avenue between Mesa Street and Stanton Street for "Cincinnati Street Music Festival" on Saturday, July 30, 2005 and Sunday, July 31, 2005. (Fee: \$137.50, SP-05011) **(District 1)** [Planning, Research and Development, Esther Guerrero, (915) 541-4720]
- 21. CITY MANAGER:** [Deputy City Manager, William Studer, (915) 541-4011]
- City Manager's report of current events and issues:
1. Financial Briefing with Council Members
 2. Plaza Theatre Debt
 3. Sun Metro Debt

- 22.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 22A.** *City of El Paso and Joseph Wardy Mayor of the City of El Paso v. The Housing Authority of the City of El Paso*; No. 08-05-00083-CV in the Eighth Court of Appeals (551.071) [City Attorney's Office, Michele Little Locke (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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